

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Abbot F. Clark
Robert J. Wordinger

Serial No.: 10/658,986 (Conf. #6064)

Filed: September 10, 2003

For: METHODS FOR DIAGNOSING AND
DISCOVERING ANTI-GLAUCOMA
DRUGS

Group Art Unit: 1646

Examiner: N. Basi

Atty. Dkt. No.: 1581 US FA

**RESPONSE TO RESTRICTION REQUIREMENT
DATED JUNE 29, 2006**

Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is submitted in response to the Office Action/Restriction Requirement dated June 29, 2006, for which the one-month date for response is July 31, 2006 (by virtue of July 29, 2006 being a Saturday, and July 30, 2006 being a Sunday).

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Assistant Commissioner is authorized to deduct said fees from Alcon Laboratories Deposit Account No. **501051**.

Reconsideration of the application is respectfully requested.

I. RESPONSE TO RESTRICTION REQUIREMENT

The restriction requirement under 35 U.S.C. §121 states that the present application claims four distinct inventions. Group I (claims 1-3) is drawn to a method for diagnosing glaucoma wherein the polynucleotide encoding GR β is assayed; Group II (claims 1-3) is

drawn to a method for diagnosing glaucoma wherein the GR β polypeptide is assayed; Group III (claim 4) is drawn to a method for determining whether an agent is useful for treating glaucoma wherein interaction of the candidate substance with GR β polypeptide is determined; and Group IV (claim 4) is drawn to a method for determining whether an agent is useful for treating glaucoma wherein the altered expression of the GR β gene is determined. For purposes of fully responding to the restriction requirement, Applicants elect the invention set forth in Group I, that is claims 1-3 so far as they relate to assaying for the polynucleotide encoding GR β .

Applicants reserve the right to pursue claims directed to the non-elected inventions and embodiments at a later time.

The Examiner is invited to contact the undersigned attorney at (817) 551-4321 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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